

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DERRICK JESUS ODEN,)	Case No. C 16-0159 PSG (PR)
)	
Petitioner,)	ORDER OF TRANSFER
)	
v.)	
)	
CORRECTIONAL OFFICER SOTO,)	
)	
Respondent.)	

Derrick Jesus Oden, a state prisoner proceeding *pro se*, petitions for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.¹ Oden, currently housed at California State Prison, Los Angeles County, appears to seek habeas relief from the execution of his sentence, and also raises a civil rights claim of cruel and unusual punishment. Essentially, Oden is complaining that his classification score is being double-counted, and he is being subjected to double jeopardy and cruel and unusual punishment.

Los Angeles County lies in the Central District of California. Venue for a habeas action is proper in either the district of confinement or the district of conviction;² however, petitions

¹ Oden has consented to magistrate judge jurisdiction. *See* Docket No. 1 at 9.

² *See* 28 U.S.C. § 2241(d).

1 challenging the execution of a sentence are preferably heard in the district of confinement.³
2 Here, the Central District of California is the district of confinement. In addition, to the extent
3 Oden is raising a civil rights claim, the acts complained of also occurred within the venue of the
4 Central District of California.

5 Accordingly, this case is TRANSFERRED to the Central District of California.⁴ The
6 Clerk shall terminate all pending motions and transfer the entire file to the Central District of
7 California.

8 IT IS SO ORDERED.

9 DATED: 3/24/2016


PAUL S. GREWAL
United States Magistrate Judge

27 ³ See Habeas L.R. 2254-3(b)(2); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989).

28 ⁴ See 28 U.S.C. § 1404(a).